

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

FRANKIE BROWN,	)	
	)	
Plaintiff,	)	Case No. 07 C 6490
	)	
v.	)	Judge Robert M. Dow
	)	
CITY OF MARKHAM and City of	)	Magistrate Judge Nan R. Nolan
Markham Police Officers HARRIS D.	)	
WALKER (Star # 526), MICHAEL	)	
WILSON, DARRYL STARKS, JESSE	)	
JONES, TONY DEBOIS, MAX	)	
SAUNDERS, and UNKNOWN	)	
MARKHAM POLICE OFFICERS,	)	
	)	
Defendants.	)	

**DEFENDANT CITY OF MARKHAM'S MOTION FOR EXTENSION OF TIME TO FILE  
ITS SUR-RESPONSE TO PLAINTIFF'S MOTION TO COMPEL.**

Defendant City of Markham, by and through its attorneys, LITCHFIELD CAVO LLP, and moves this Court for Leave For Extension Of Time to File Its Sur-Response to Plaintiff's Motion To Compel. In support of its motion, Defendant states as follows:

1. On July 15, 2008 Plaintiff was given leave to file his Reply in Support of His Motion To Compel, *Instantly*.
2. This Court permitted Defendant City of Markham to file a Sur-Response if necessary, and ordered that the Sur-Response is due on July 18, 2008.
3. Defendant City of Markham wishes to file a Sur-Response; however Defense Counsel is deposing two of Plaintiff's identified witnesses on July 17, 2008 and is presenting Defendant Officer Tony Debois for his deposition on July 18, 2008.
5. It is expected that these depositions will last all day. Defense Counsel will therefore be unable to draft the City's Sur-Response by the July 18, 2008 deadline.

6. Defendant requests that the City of Markham be given additional time to July 23, 2008 by which to file its Sur-Response.

7. Defense Counsel has conferred with Plaintiff's Counsel who has no objection to this extension of time.

WHEREFORE, Defendant City of Markham, respectfully requests for an extension of time to July 23, 2008 by which to file its Sur-Response.

City of Markham,

/s/ Lauren M. Penn

LITCHFIELD CAVO LLP

Its Attorneys

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**CERTIFICATE OF SERVICE**

I, Lauren M. Penn, an attorney, certify that on July 17, 2008, I served this document on each counsel of record by ECF electronic filing.